

**REQUEST FOR PROPOSALS  
FOOD AND BEVERAGE CONCESSION AT THE  
NEW COUNTY GOVERNMENT CENTER  
1074 HIGUERA STREET  
SAN LUIS OBISPO, CA**



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Proposals **must be RECEIVED on or before 5:00 P.M., July 23, 2010** at the County of San Luis Obispo, General Services Agency, 1087 Santa Rosa Street, San Luis Obispo, CA 93408—Attn: County Real Property Manager.

### **Intent of Proposal:**

The County of San Luis Obispo ("County") is soliciting written proposals for the operation of a Food and Beverage Concession located at 1074 Higuera Street within the new County Government Center in San Luis Obispo. The New County Government Center is a 4-story building located in downtown San Luis Obispo at the intersection of Monterey Street and Santa Rosa Street. It was constructed in 2005 and houses approximately 270 employees. In addition, many visitors come to the Board of Supervisors chambers and other training rooms that are located just down the hall. Many more employees are also located in other surrounding County buildings and the Courthouse.

The County seeks a new concessionaire to offer a "grab and go" quick turn-around breakfast and lunch at moderate prices that will be affordable for County employees to patronize regularly. A hot grill service has not proven feasible at this site and is not desired. The menu must offer coffee, sodas, sandwiches, salads, snacks, candy, and breakfast items including muffins and breakfast burritos that may be microwaved on site. A selection of pre-packaged menu items in a refrigerator case is also required for those wanting quick service. The café may not serve alcohol.

The cafe is approximately 935 square feet of interior space plus a small storage room and two bathrooms. The premises also include approximately 875 square feet of attractive outdoor patio area with a full awning enclosure. All appliances have been removed from the café site. The new concessionaire will be required to bring in new appliances, which will remain the concessionaire's property provided they are properly removed and the premises restored to original condition at the termination of the lease. Signing is subject to approval by the County and must conform to the signing regulations of the City of San Luis Obispo.

Monthly rent proposed shall be a minimum of \$500 per month plus CPI adjustments. The term of the contract is five (5) years with a mutual option to extend for an additional five (5) years. Rental payment and occupancy shall begin on the date that the Concession Agreement is signed by the Board of Supervisors, unless otherwise proposed and agreed. Operating hours proposed must be a minimum of 7:30 AM to 2:00 PM Monday through Friday, and extended operating hours, including weekends, are at the concessionaire's option. The café has its own entrance for public access when the New County Government Center is closed.

The concessionaire pays for all utilities except trash, and is responsible to clean and maintain the premises, including the awning. Access to a common trash area for the building is provided. Deliveries may arrive through a roll-up door at the trash area, and a regular delivery schedule must be approved by the County.

No parking is made available for Concessionaire, Concessionaire's employees, or customers. Concessionaire shall obtain a City of San Luis Obispo Business License. It is the County's understanding that Membership in the Downtown Association assessment district is a requirement of the City of San Luis Obispo. City Business Sales Tax must also be paid. Concessionaire will bear responsibility for all taxes, including possessory interest taxes resulting from this contract.

In lieu of a security deposit, the County requires a \$5,000 letter of credit with County named as beneficiary.

TO INSPECT THE PROPERTY, PLEASE MAKE AN APPOINTMENT WITH  
LINDA VAN FLEET AT (805) 781-4688.  
A draft of the concession contract is also available upon request.



### **Submitting a Proposal:**

Written proposals must be **RECEIVED ON OR BEFORE 5:00 P.M., July 23, 2010** at the General Services Agency, County of San Luis Obispo, 1087 Santa Rosa, San Luis Obispo, CA 93408, ATTN: County Real Property Manager. Any packets RECEIVED after that date and time will NOT be considered, regardless of postmark. A proposal must be submitted, in its entirety, in a sealed envelope and plainly marked "*Café Proposal, New County Government Center*" with the name and address of the Proposer.

### **Selection Process and Method of Award:**

A Proposer must submit evidence of not less than three (3) years actual restaurant/food and beverage management experience. Proposals will be evaluated on the basis of:

- Amount of monthly rent proposed.
- Proposer's financial qualifications—availability of capital for rent, reserves, and to perform proposed capital improvements, references, financial statements, credit history, and Proposal Questionnaire.
- Proposer's demonstrated ability to manage a café, including demonstrated ability to perform similar work, and Proposal Questionnaire.
- Capital improvement proposal and planned opening date.
- Proposer's business plan (including submitted sample menu with prices, hours of operation, marketing proposal including employee discounts—if proposed, and name of the café). **The menu and affordability are weighted the heaviest of all ratings.**

All proposals submitted prior to the deadline will be analyzed and reviewed by a committee convened by the County General Services Agency that will select a "Best Responsible Proposer." Upon notification of selection by the committee, the Best Responsible Proposer will submit a deposit in the amount of \$1,000 payable to the County of San Luis Obispo as a good faith deposit that will be applied toward rent. The final contract will then be prepared and presented to the County Board of Supervisors for their approval.

In the event that the proposer withdraws their proposal for any reason prior to the Board's approval of the Lease, the deposit will not be refunded. If the Board rejects the Lease, the deposit will be refunded. The County will not pay any real estate brokerage commission on this transaction.

The County Reserves the right to reject any and all proposals, and to waive minor defects or irregularities in any proposal submitted.



### Estimated Schedule:

- July 1<sup>st</sup> to 23<sup>rd</sup> - On-Site Inspections by Appointment (call 805-781-4688)
- July 23, 2010- 5:00 PM Deadline to Submit Proposals
- July 28, 2010- Review Committee selects and notifies Best Responsible Proposer
- July 29, 2010- Best Responsible Proposer submits \$1,000 deposit check
- Early August 2010- Proposer signs Concession Agreement
- August 24, 2010- Estimated agenda date for Board of Supervisors to approve Concession Agreement.
- August 24, 2010- Estimated start date— Concessionaire obtains keys.

### Inquiries:

To request additional information, please contact Linda Van Fleet at the General Services Agency, County of San Luis Obispo, 1087 Santa Rosa, San Luis Obispo, CA 93408, by e-mail at [lvanfleet@co.slo.ca.us](mailto:lvanfleet@co.slo.ca.us), by phone at (805) 781-4688 or by fax at (805) 781-1364.

### General Information and Instructions to Proposers:

The format to follow in preparing the proposal begins on page 7. The County reserves the right to reject any and all proposals, and to waive minor defects or irregularities in any proposal submitted. All proposals must be prepared in ink or type written and signed by the proposer.

The Proposer must submit evidence of not less than three (3) years actual restaurant/food and beverage management experience of comparably sized premises. Additionally, each Proposer must submit associated (3) consecutive years of business tax returns filed with the IRS as evidence of Proposer's ability to financially manage a food and beverage operation. (Note: All financial information is strictly confidential and shall not become public domain.)

The Proposer must propose a monthly rent (no less than \$500 per month) which shall adjust annually based on CPI.

The Proposer must submit a business plan, including a sample menu with prices, hours of operation, marketing proposal, planned opening date, and name of the café.

The Proposer must submit a conceptual design of the premises, including both interior and patio areas, and a proposed opening date.

The Proposer must submit evidence that the requirements of the California Health and Safety Code Section 113716 (food safety certification by owner or employee) will be met.

Any proposal may be withdrawn at any time prior to the submittal deadline. The withdrawal of a proposal shall not prejudice the right of a proposer to file a new proposal prior to the submittal deadline.

Failure by the successful proposer to sign and deliver the final Concession Contract within fifteen (15) days of receipt thereof, and to provide the County of San Luis Obispo with required evidence of insurance and letter of credit may be considered as a refusal to execute, if the County so elects. All proposals must be prepared in ink or type written and signed by the Proposer.

Disqualification of Proposers:

Proposers may be disqualified for one or more of the following reasons, as follows:

- 1) Evidence of collusion among Proposers.
- 2) Lack of competency as revealed by either unsound business operations or inadequate business references.
- 3) Lack of responsibility or capability as shown by credit history and financial statements.
- 4) Default on previous contract.
- 5) Misrepresentations contained in any proposal information submitted by Proposer.
- 6) Any other information which is a positive indication to County that the Proposer is not qualified for the award of this Concession Contract.

**Please submit the Proposal in the following format:**

**PROPOSAL**

For Food and Beverage Concession at the New County Government Center in San Luis Obispo

This proposal is to operate a food and beverage concession at 1074 Higuera Street in the New County Government Center in San Luis Obispo for a term of five years, with a mutual option to extend for an additional five-year term. The proposer, under penalty of perjury, verifies that information and statements submitted in this Proposal are true to the best of the proposer's knowledge and belief. All questions must be answered in full. If additional space is required, please use the back of the page on which the question appears, or attach an additional sheet and clearly label it. If the question is not applicable, please mark not applicable, as all questions must be completely answered.

The Request for Proposal, Draft Concession Contract, Proposal, and the Execution of Proposal are all made a part of this Proposal by reference, and this Proposal is made subject to all the provisions thereof, whether or not expressly set forth herein.

NAME OF PROPOSER:  
CURRENT BUSINESS NAME:  
BUSINESS ADDRESS:  
CITY/STATE/ZIP:  
PLACE OF RESIDENCE:  
STREET/CITY/STATE/ZIP:  
TELEPHONE: (Business)  
(Residence)  
(Cell)

**PRESENT BUSINESS AND PROPOSED BUSINESS**

1. A. Current business name and description of the business.
- A. How long in business?
- C. Is/was the business a sole proprietorship, corporation, partnership, or other? Explain.
- D. Are you the owner of the business? If other, what is your position?
- E. Size of current location (square feet and patronage capacity)? Will you be keeping this location?
- F. How many people do you currently employ, and how many do you intend to employ at the new location?
- G. Will you manage the daily on-site operations in person?
- H. Please provide other information concerning the business that you feel is pertinent.

2. If the business or the principles are currently or previously involved in any litigation, please describe.
3. Have the owners/principles ever been arrested, charged, or held for any criminal offense? (Do not include anything that happened before age 16 or any minor traffic violations).

YES \_\_\_\_\_ NO \_\_\_\_\_

If your answer is "YES", list all offenses below, giving date, location, nature and disposition for each.

4. Proposer must provide current financial statements (annual profit and loss statement and current balance sheet) as evidence of proposer's ability to pay the rent.
5. References: Using the attached forms, please provide three (3) business references from firms with whom you have had a business relationship during the past three years.
6. Using the attached forms, please authorize the County of San Luis Obispo to obtain a personal credit report on the proposer(s).

#### **PROPOSED LEASE TERMS:**

1. Compensation Proposal: Monthly rent paid to the County shall be \$\_\_\_\_\_ per month.
2. Improvements Proposed:  
Describe proposed capital improvements, appliances, furnishings, and decorating, and total estimated cost.

Additional Comments:

3. Overview of Business Operations:

Please describe your proposed business operations, including hours of operation, anticipated staffing, menu, pricing, employee discounts (if offered), and marketing plan.

4. General :
  - A. How did you hear of this leasing opportunity?
  - B. What do you estimate the business's net income to be per month?
  - C. How do you propose to finance the improvements?
  - D. Please provide any other information that is pertinent to your proposal.



5. If selected as the Best Responsible Proposer, do you agree to submit a check in the amount of \$1,000 payable to the County of San Luis Obispo as a good faith deposit. *(Yes/No)*.

PLEASE NOTE: The deposit will be applied toward rent. In the event that the proposer withdraws their proposal for any reason prior to the Board's approval of the Concession Contract, the deposit will not be refunded. If the Board rejects the Concession Contract, the deposit will be refunded.

### **EXECUTION OF PROPOSAL**

For Food and Beverage Concession at the New County Government Center in San Luis Obispo

The undersigned proposer hereby declares that he/she fully understands possessory interest tax within the meaning of the Revenue and Taxation Code as applicable to the proposed contract, and that the only person or persons interested in this proposal as principals are those named herein.

The undersigned proposer further acknowledges that he/she has received, examined and is familiar with the Request for Proposal, Draft Concession Contract, Proposal, and Execution of Proposal, and that he/she has carefully inspected the subject premises and facilities connected therewith.

In the event a proposal from the undersigned proposer is selected by the County's review committee, Proposer agrees to execute the Concession Contract in a timely manner, furnish evidence of insurance policies, and provide the letter of credit as required, and to furnish and do any and all things which are required by the terms of the Concession Contract and Proposal package.

***NOTE: SELECT PROPER VERIFICATION (Individual, Partnership, or Corporation):***

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**INDIVIDUAL:** If the proposer is an individual, sign by using first, middle and last name in full.

The undersigned deposes and says that he/she has read the foregoing Request for Proposal, Draft Concession Contract, Financial Statements, and Proposal, and knows the contents thereof, and that they are true of his/her own knowledge except as to matters that are therein stated on his/her information or belief, and as to those matters that he/she believes to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_

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**PARTNERSHIP:** If the proposer is a partnership, a general partner must sign.

The undersigned state that they are a partnership, that they have read and executed the foregoing Request for Proposal, Draft Concession Contract, Financial Statements, and Proposal, and know the contents thereof, and that they are true of their own knowledge except as to matters which are herein stated on their information or belief and as to those matters that they believe to be true.

I/we declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
GENERAL PARTNER

By: \_\_\_\_\_  
GENERAL PARTNER

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**CORPORATION:** If the proposer is a corporation, the authorized corporate officers must sign.

The undersigned deposes and says that he/she is the \_\_\_\_\_  
(position)  
of \_\_\_\_\_, a corporation; that he/she has authority to enter  
(name of company)

into a Concession Contract on behalf of said corporation; that he/she read the foregoing Request for Proposal, Draft Concession Contract, Financial Statements, and Proposal, on behalf of said corporation and know the contents thereof; and that they are true of his/her own knowledge except as to matters that are therein stated on his/her information or belief and as to those matters that he/she believes it to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_  
Title: \_\_\_\_\_

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County of San Luis Obispo

**CREDIT REPORT AUTHORIZATION AND RELEASE**

Authorization is hereby granted to the **County of San Luis Obispo** to obtain a standard factual; data credit report through a credit reporting agency chosen by the County of San Luis Obispo.

My signature below authorizes the credit reporting agency to obtain information regarding my home address, employment, saving accounts, and outstanding credit accounts (mortgage, auto loans, personal loans, charge cards, credit unions, etc). Authorization is further granted to the reporting agency to use a photocopied reproduction of this authorization if necessary to obtain any information regarding the above-mentioned information.

Print Name: \_\_\_\_\_  
First Middle Last Maiden

Current Residence Address: \_\_\_\_\_  
\_\_\_\_\_

Previous Residence Address: \_\_\_\_\_  
\_\_\_\_\_

Current Employer: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

BUSINESS REFERENCE FOR \_\_\_\_\_, PROPOSER

**AUTHORIZATION TO RELEASE INFORMATION**

I have submitted a proposal to conduct business with the County of San Luis Obispo, and I request a business reference from you. I hereby authorize the release of all financial, credit, business and personal information and/or verification of employment to the County of San Luis Obispo, General Services Agency, as said items relate to my interest in securing an agreement with the County. This form may be reproduced or photocopied to be utilized as my consent to release financial, credit, business and personal information and/or verification of employment.

Please complete the BOTTOM SECTION of this form, and return this form as soon as possible to me at the following address:

\_\_\_\_\_  
Proposer's Name: (please print)

\_\_\_\_\_  
Proposer's Address  
\_\_\_\_\_

\_\_\_\_\_  
Proposer's Signature

\_\_\_\_\_  
Date

**TO THE ADDRESSEE:** Please complete the following BUSINESS REFERENCE information:

How long have you done business with the Proposer?

In what capacity?

What POSITIVE comments do you have concerning this business?

What APPREHENSIONS might you have concerning providing a reference for this business?

Additional Comments?

Name of person supplying this Business Reference: \_\_\_\_\_

\_\_\_\_\_  
(Name- Printed)

\_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date: \_\_\_\_\_

BUSINESS REFERENCE FOR \_\_\_\_\_, PROPOSER

**AUTHORIZATION TO RELEASE INFORMATION**

I have submitted a proposal to conduct business with the County of San Luis Obispo, and I request a business reference from you. I hereby authorize the release of all financial, credit, business and personal information and/or verification of employment to the County of San Luis Obispo, General Services Agency, as said items relate to my interest in securing an agreement with the County. This form may be reproduced or photocopied to be utilized as my consent to release financial, credit, business and personal information and/or verification of employment.

Please complete the BOTTOM SECTION of this form, and return this form as soon as possible to me at the following address:

\_\_\_\_\_  
Proposer's Name: (please print)

\_\_\_\_\_  
Proposer's Address  
\_\_\_\_\_

\_\_\_\_\_  
Proposer's Signature

\_\_\_\_\_  
Date

**TO THE ADDRESSEE:** Please complete the following BUSINESS REFERENCE information:

How long have you done business with the Proposer?

In what capacity?

What POSITIVE comments do you have concerning this business?

What APPREHENSIONS might you have concerning providing a reference for this business?

Additional Comments?

Name of person supplying this Business Reference: \_\_\_\_\_

\_\_\_\_\_  
(Name- Printed)

\_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date: \_\_\_\_\_

BUSINESS REFERENCE FOR \_\_\_\_\_, PROPOSER

**AUTHORIZATION TO RELEASE INFORMATION**

I have submitted a proposal to conduct business with the County of San Luis Obispo, and I request a business reference from you. I hereby authorize the release of all financial, credit, business and personal information and/or verification of employment to the County of San Luis Obispo, General Services Agency, as said items relate to my interest in securing an agreement with the County. This form may be reproduced or photocopied to be utilized as my consent to release financial, credit, business and personal information and/or verification of employment.

Please complete the BOTTOM SECTION of this form, and return this form as soon as possible to me at the following address:

\_\_\_\_\_  
Proposer's Name: (please print)

\_\_\_\_\_  
Proposer's Address  
\_\_\_\_\_

\_\_\_\_\_  
Proposer's Signature

\_\_\_\_\_  
Date

**TO THE ADDRESSEE:** Please complete the following BUSINESS REFERENCE information:

How long have you done business with the Proposer?

In what capacity?

What POSITIVE comments do you have concerning this business?

What APPREHENSIONS might you have concerning providing a reference for this business?

Additional Comments?

Name of person supplying this Business Reference: \_\_\_\_\_

\_\_\_\_\_  
(Name- Printed)

\_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date: \_\_\_\_\_



## CHECKLIST

For Food and Beverage Concession at the New County Government Center in San Luis Obispo

If you are uncertain about any item, please contact the County of San Luis Obispo, General Services Agency, 1087 Santa Rosa, San Luis Obispo, CA 93408 Attn: Linda Van Fleet, or e-mail [lvanfleet@co.slo.ca.us](mailto:lvanfleet@co.slo.ca.us), or call (805) 781-4688.

- |    |   |          |         |
|----|---|----------|---------|
| 1. | PROPOSAL: 3 COPIES  | YES ____ | NO ____ |
| 2. | EXECUTION OF PROPOSAL: 3 COPIES, SIGNED   | YES ____ | NO ____ |
| 3. | ATTACH <b>ANNUAL PROFIT AND LOSS STATEMENT</b><br>AND CURRENT BALANCE SHEET<br>MARKED "CONFIDENTIAL" IF DESIRED | YES ____ | NO ____ |
| 4. | ATTACH CREDIT REPORT AUTHORIZATION  | YES ____ | NO ____ |
| 5. | ATTACH 3 COMPLETED BUSINESS REFERENCES  | YES ____ | NO ____ |